

## **REMARKS**

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1-23 and 37-54 are pending in the present application. Claims 24-35 have been cancelled without prejudice or disclaimer. The other, previously presented claims, i.e., claims 1-23 and 37-42 remain *substantively* unchanged notwithstanding the new grounds of rejection manifested in the Office Action. New claims 43-54 readable on the elected invention/species have been added to provide Applicants with the scope of protection to which they are believed entitled. New claims 43-52 find solid support in the *original* specification and drawings, e.g., FIGs. 4-8, especially FIG. 4, and paragraph 0031 of the *published* application. More particularly, new claims 45-52 correspond to claims 3, 7, 10, 11, and 13, respectively. New claims 53-54 finds support in at least FIGs. 3A-3B.

No new matter has been introduced through the foregoing amendments.

The new grounds of rejection are noted. However, it appears that the Office has sustained the substance of the previous rejections, merely replacing *Rive* with *Pham* as the teaching reference that teaches the use of the Windows registry for "storing, securing and protecting properties from loss." As discussed repeatedly in the previous Amendments/Responses, the teaching references, be it *Rive* or *Pham*, are only relevant to where (i.e., the registry) the information is backed-up. The teaching references do teach or suggest the specific claim requirement as to when the information is backed-up which is also missing from the disclosure of *Bogdan*. For at least this reason, the new rejections are improper and should be withdrawn.

Applicants will nevertheless proceed with their remarks.

Specifically, as to **independent claim 1**, the applied references, especially *Bogdan*, do not teach or suggest two separate changing steps, one for changing the appearance of the sample icon, the other for changing the icon appearance of the display system. The relevant claim features are reproduced herein below for the Examiner's convenience of review.

changing the at least one sample icon's appearance according to inputs for a new icon appearance being received from a user through the icon control window;

...  
changing the icon appearance of the display system by changing the display properties in accordance with the user inputs,

There is only one changing step in *Bogdan*. The Examiner appears to have improperly interpreted the relevant disclosure of *Bogdan* at step 60 of Figure 4 and column 4, lines 52-55. Although the reference seems to disclose that the user may vary the element size by directly editing the value or by clicking on the upward/downward arrows (84, 86), the icon size of section 68 is not changed, regardless of any manipulation of the value of Element Size box 82. That is, a bitmap is redrawn *only* after the user changes a value and then *exits* dialog box 64. In other words, *Bogdan* only discloses changing the system's icon appearance, failing to teach or suggest changing the appearance of any sample icon in the icon control window. Thus, since *Bogdan* provides no changeable sample icon, there can be no corresponding change in such sample icon's appearance, unlike the claimed invention.

Another claim feature that the applied references, if properly combinable, would lack is the requirement that

wherein backing up the display properties occurs automatically in response to the inputs for a new icon appearance being received from the user through the icon control window and is performed immediately prior to changing the at least one sample icon's appearance

There are two prongs in this claim limitation, i.e., the backing up the display properties

(i) occurs automatically in response to the inputs for a new icon appearance being received from the user through the icon control window and

(ii) is performed immediately prior to changing the at least one sample icon's appearance.

None of the above prongs are met by the applied references. Specifically, with respect to (i), the back-up of the display properties in the references does not automatically occur in response to the inputs for a new icon appearance. The inputs for a new icon appearance in *Bogdan* occur when the user manipulates the value of Element Size box 82. *Pham* discloses, e.g., at column 5 line 25, backing-up of certain information before the information is being

overwritten. However, since the user's manipulation of the value of Element Size box 82 in *Bogdan* does not mean that the display properties are to be overwritten (not until the user finalizes his/her choice) there would be no reason why a person of ordinary skill in the art would have backed-up the display properties as taught by *Pham* in response to the user's manipulation of the value of *Bogdan*'s Element Size box 82, in the presently claimed manner. The person of ordinary skill in the art would have backed-up, if at all, the *Bogdan* display properties only upon the user's decision to finalize the change (e.g., upon exit from the dialog box 64); yet such modification would be apparently irrelevant to the claim feature at issue, which is not related to the change of the display system's properties but only to the change of the sample's icon appearance.

With respect to (ii), since *Bogdan*, as discussed above, does not teach or suggest any change to any sample icon, no combination with *Pham* would have prompted the backing-up of the display properties immediately prior to the changing of the appearance of a sample icon, as presently claimed.

For any of the reasons detailed above, Applicants respectfully submit that the applied references are not combinable in the manner proposed in the Office Action and also fail to teach or suggest all features of independent claim 1. Claim 1 is thus patentable over the applied art of record.

**Independent claims 14 and 23** include features similar to claim 1 and should be considered patentable as well.

**New independent claim 43** is patentable over the applied art of record which fails to teach or suggest "displaying an icon control window on the display screen, the icon control window including a plurality of sample icons having different sizes for a user's preview." None of the applied references, especially *Bogdan*, teach or suggest the claim feature. Specifically, *Bogdan* discloses a tool for changing the icon's size, but does not teach or suggest multiple sample icons having different sizes as presently claimed. *See*, for example, FIG. 5 of *Bogdan*.

The references, especially *Bogdan*, also fail to teach or suggest “selecting one sample icon among the sample icons of the icon control window.” What is selected in *Bogdan* is the icon’s size (box 82 in FIG. 5) rather than the icon itself.

The deficiency of *Bogdan* is not deemed curable by the teaching reference(s), and therefore independent claim 43 is patentable over the applied art of record.

**The dependent claims, including any new claim(s)**, are considered patentable at least for the reason(s) advanced with respect to the respective independent claim(s).

New claims 53-54 further emphasize the two changing steps which are discussed above with respect to claim 1 and which are neither disclosed, taught nor suggested by the applied references, especially *Bogdan*.

Each of the rejections has been traversed. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant’s attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,  
LOWE HAUPTMAN HAM & BERNER, LLP  
/Yoon S Ham/  
Yoon S. Ham  
Registration No. 45,307

Customer Number: 22429  
1700 Diagonal Road, Suite 300  
Alexandria, Virginia 22314  
(703) 684-1111  
(703) 518-5499 Facsimile  
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